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14 Attorneys for Plaintiff and the proposed Class

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

20 Thomas Carnes, by and through his Guardian ad Litem,
21 Juliana Christine Clegg, on his own behalf and on behalf
of others similarly situated,

cc Plaintiff,

vs.

24 | Atria Senior Living, Inc. and Does 1 Through 100,

25 Defendants.

CASE NO. 3:14-cv-02727-VC

**STIPULATION AND
[PROPOSED] ORDER TO
EXTEND FILING DEADLINE
FOR BRIEFING PERTAINING
TO DEFENDANT'S MOTION
TO DISMISS PLAINTIFF'S
FIRST AMENDED CLASS
ACTION COMPLAINT**

Judge: Hon. Vince Chhabria

1 Pursuant to Local Rule 6-1(a), the parties hereby provide notice of their stipulation to
2 extend the time for filing briefings pertaining to Defendant's Motion to Dismiss Plaintiff's First
3 Amended Class Action Complaint.

4 **WHEREAS**, under Local Rule 7-3(a), an opposition to a motion "must be filed and served
5 not more than 14 days after the motion was filed";

6 **WHEREAS**, under Local Rule 7-3(c), "[t]he reply to an opposition must be filed and
7 served not more than 7 days after the opposition was due";

8 **WHEREAS**, the Defendant filed its Motion to Dismiss Plaintiff's First Amended Class
9 Action Complaint ("Defendant's Motion") on September 11, 2014;

10 **WHEREAS**, the current deadline for Plaintiff to file his brief in opposition of Defendant's
11 Motion is September 25, 2014;

12 **WHEREAS**, the current deadline for Defendant to file a reply to Plaintiff's opposition is
13 October 2, 2014;

14 **WHEREAS**, the hearing on Defendant's Motion is scheduled to occur on November 6,
15 2014;

16 **WHEREAS**, the Parties, upon meeting and conferring, have agreed to modify the briefing
17 schedule pertaining to Defendant's Motion;

18 **WHEREAS**, the Parties' stipulation will not alter the date of any event or any deadline
19 already fixed by Court order;

20 **NOW THEREFORE, THE PARTIES STIPULATE THAT:**

21 1. The deadline for Plaintiff to file his brief in opposition of Defendant's Motion will
22 be extended by 7 days from September 25, 2014, to October 2, 2014.

23 2. The deadline for Defendant to file its reply to Plaintiff's opposition will be extended
24 by 7 days from October 2, 2014, to October 9, 2014.

25 3. The date of the hearing on Defendant's Motion will remain November 6, 2014.

26 **IT IS SO STIPULATED.**

1 Respectfully submitted,

2 DATED: September 23, 2014

3 STEBNER AND ASSOCIATES

4 /s/ Kathryn A. Stebner

5 Kathryn A. Stebner

6 Attorneys for Plaintiff and the proposed Class

7 DATED: September 23, 2014

8 LEWIS BRISBOIS BISGAARD & SMITH LLP

9 /s/ Jeffrey S. Ranen

10 Jeffrey S. Ranen

11 Attorneys for Defendant

12 **DECLARATION OF CONSENT**

13 I, Kathryn A. Stebner, hereby declare pursuant to General Order 45, § X(B), that I have
14 obtained concurrence in the filing of this document from Jeffrey S. Ranen. I declare under
15 penalty of perjury that the foregoing is true and correct.

16 Executed on September 23, 2014, in the City of San Francisco, California.

17 /s/ Kathryn A. Stebner

18 Kathryn A. Stebner

21 **PROPOSED ORDER**

22 Pursuant to the Stipulation, **IT IS SO ORDERED.**

23 Dated: September 24, 2014



24 Honorable Vince Chhabria
United States District Judge